



**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3743**

S/N 09/851,803

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|---------------------------------------------------------|-------------------|-----------------|
| Applicant: | Richard Donald Berg | Examiner: | Josiah C. Cocks |
| Serial No.: | 09/851,803 | Group Art Unit: | 3743 |
| Filed: | May 9, 2001 | Docket No.: | 12929.1061US01 |
| Customer No.: | 23552 | Confirmation No.: | 3572 |
| Title: | Simulated Electric Glowing Embers System for Fireplaces | | |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 407363235 US
Date of Deposit: January 20, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Teresa Anderson
Name: Teresa Anderson

RESPONSE UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed September 22, 2003, please consider and enter the following remarks. Claims 1-27 remain pending in the application.

Remarks begin at page 2 of this paper.

*OK to enter
jan 29 2004*

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TECHNOLOGY CENTER R3700